MEMPHIS, TENN., TUESDAY, DECEMBER 21, 1875.

VOL 85, NO 301

Startling Reductions

CLOSING RATES

Yesterday of cotton and gold: New York, cotton, 13 5-16c; Memphis, 124c. New York, gold, 1134; Memphis, 1124.

THE long-threatened charges of Ex-A derman Andrew Davis against Mayor Longue were laid before the general council last night. They are couched in yery plain terms and are supported by what Davis alleges to be unquestionable testimony. As they have been given to a committee for investigation, we refrain from comment, only calling attention to the fact that Mr. Davis luwithholding charges so grave for so many months has placed himself in a questionable position, and made it esty, at least, of his intentions. When the committee has reported we shall have something to say.

CONGRESSIONAL.

Announcement of the House Committee by Speaker Kerr-The West at Last Wields Power.

The Committee on the Pacific Railroad about Evenly Divided For and Against the Texas Pacific Scheme, Etc.

HOUSE. WASHINGTON, December 20 .- There Washington, December 20.—There was a much larger attendance of members to day than was expected, owing to the holiday adjournment being fixed for to-day, and that the only business is listening to announcements from the speaker. The journal of Friday last having been read, and some executive communications being laid before the house, toe speaker announced the standing committees, as follows:

Elect ons—Harris [Va.], Thompson, Blackburn, Beere, House, LeBoit, Poppleton, Hoar, Weils [Miss.], Baker [Ind., and Grown [Kan.] Ways and Means—Messrs Morrison, Wood, Ha cock, Thomas, Hill, Chapin, Tacker, Blaine, Kelly, Garfield and Burchard.

App opriations—Messra Randall, Hollman, Weils [Mo.], Atkins, Hamilton [N. J.], Blount, Singleton, Wheeler, Hale, Foster and Waldron. dron.

Bahking and Corrency—Meears Cox, Payne,
Goode, Gibson, Haymond, Burchard (Wis.),
Wike [III], Townsend [Pa.], Kasson, Eames Wike [iii], Fownsend [Pa.], Kasson, Eames and Hubbell.

Facilic Rallroad—Messrs, Lamar, Atkina, Lettrell, Walker [Va.], Lyrde, Throckmorton, Thomas [Md.], Phillips [Mo.], Garfield, Kasson, Platt, O'Neill and Blair,
Judiciary Messrs, Knott, Hunton, Ashe, Lynde, Lord, Hurd, Caulfield, M'Crary, Lawrence, Fry and Stark weather.

Public Lands—Mes rs. Saylor, Goodin, Fuller, a Farland, Walling, Gause, Lane, Eawthorne, M'pell, Morey and Crouse,
Foreign Affeire—Messrs, Swann, Faulkner, Hahas, Borum, Ely, Hamilton [ind.], Soringer, Military Affairs—Messrs, Banbing, Glover, Military Affairs—Messrs, Banbing, Glover, Military Affairs—Messrs, Banbing, Glover, Military Affairs—Messrs, Banbing, Glover, Military Messrs, MacDougall, Thornburg, Hurl-

anchougall, Thornburg, Hurl-Commerce—Hereford, Ward, Durand, Reagan, Piper, Price, Pelton, Hunter, Ross [Pa.], and Dunnell. offlees and Postroads—Clark [Mo.j.Wad-diffreil, Farnsworth [lows], Walker [N. f Mahon, Siemmons, Cannon, Miller, Il, and Walker M'Mahon, Siemmons, Cannon, Miller, well, and Wallace.

atms—Bright, Neal, Brown [Ky], Bobbins C], Tarbox, Cochrane, Phillips [Mo.], th. Bess, Bradley, and Casson.

ar Chalms—Elen, Milliken, Warren, Cass, Ellis, New, Caldwell, C. C. Smith [Pa.], Ison [lowa, and Haskins, avai Affairs—Whitthorns, Lewis, Mills, es [N. H.], Wille, Williams [Del.], Hopsel's], Burieigh, Barris [Mass.], Hayes and Morch. Danford:
Hevision of Laws-Durham, Southard, Bell,
Metcalfe, Tesse, Douglas, Spark, Crape, Denison, oliver and Robinson.
Education and ", shor-Walker (Va., Lamar,
Faulkiner, Cetter, Stinger, Clark [Mo.], Springser, Hoar, Mageon [Wis.], White, Nash [D.C.],
Buckler, Neal, Phelips, Care, Hartridge, Hinkle, Stevenson, M'Crary, Willis, Heanes and
Phillips [Kan.],

Co. Stevenson, M'Crary, Willis, Henose and Phillips (Kan.).

Public Buildings and Grounds-Holman, Wells [Mo.], Harrison, Cook, Hewitt [N. Y.], Wells [Mo.], Harrison, Cook, Hewitt [N. Y.], Williams and Minhall, Woodworth, Plainted and Kimball.

Patents-Vance, Bagiey, Jr. [N. Y.], Douglas, Danford, Hartzell, Clarke [N. Y.], Smith Ga.], Conger, D. bbin-, Sampson and Hage.

Invalid Pensions—Jenks, Bagiey [H.], Willion [W. Va.], Elles, Hewitt [Aia.], Rice, Ceates, Rusk, Sinnickson, Purman and Sainey.

Yeates, Rusk, Sinnickson, Purman' and Rainsy.

Revolutionary Pensions—Hunter, Bland [Mo.], Phelps, Clarke [Ky], Hurd, Davis, Schumscher, Townseng [N. Y.], Dobbins, Henderson and Williams [N. Y.], Dobbins, Henderson and Williams [N. Y.], Indian affairs—Scales, Wilshire, Boone, Sparks, Hooker, Morgan, Lane, S. E. klye, Page, Van Vorhes and Tuffs.

Weights and Messures—Stephens, [Ga.] O'Brien, Potter, Sayler, Parson [N. Y.], Malsh [Wis], Chittenden and Seeley.

Territories—Southard, Caidwell, Mutchier, Prankilt, Mende, Cutherson, Wiggenbon, Fort Mackey, Bagley [N. Y.] and Patterson.

Agriculture—Caidwell, Harris [Ga.], Maish, Davis, Rea, Goodin, Anderson, Emith [Pa.], Rusk, Van Vorhes and Smalls.

Mines and Mining—Messes Bland, Turney, Durhain, Potter, Odell, Gibson, Campbell, Evans, Woodburn, Caswell and Lynch.

Priva e Land Claims—Messers Gunter, Buckber, Parsons, Candler, Levy, Ainsworth, Kelchum, Joyce, Casnen and Lapham.

Public Expenditures—Messers, Milliken, Hatcher, Perry, Cowan, Dibrell, James, Reilley, Campbell [H.], Whiting, Norton, Railways and Cabals—Jotes [Ky.], Stone, Savage, Meade, Schleicher, Mackey [Pa.], Lan-Wood [Pa.], Haralson.
Railways and Canals—Jotes [Ky.], Stone,
Savage, Meade, Schleicher, Mickey [Pa.], Landers. Davy, Henderson, Frest and Haze.
Mississippi Levees—Mesers. Effis, Hatcher,
Walshire Miney, Roberts, Young, Sheakley,
Durrell, Whiting, Morey and Wailace [Pa.].
Ref rm in Civilservice Whitehouse Brown
Ky.], Throckmorton, Payne, Collins, Debolt,
Cutler, Hurlout, Harris [Mass.], Foster and
Leaven worth

utler, Huribut, Harris [Mass.], Poster and envenworth
Manufactures -Messrs Stone, Dibtrell, Ross N. J.], Williams [Ala.] Hopkins, Money, Surchard, Farwell, Boilen [R. I.], Williams N. J.] and Hyman.
Militis—Messrs. Cowan, Hereford, Bell, Scales, Candler, Walsh, Farbox, Ross [Pa.], Darrall, Crouse and King.
Expenditures on Public Buildings—Messrs. Metcalf, Wilson [W. Va.], Bagley, Pratt and Townsend (N. Y.) Plaisted Accounts—Williams [Ind.], Boberts, swell, Ha kin and Fort. Expenditures in the War Department— essrs. Clymer. Sobbins [N. C.], Blackburn

GOSSIP.

than e of opinions among members in d to the selections. Those who had been provided for commended the speaker's of disastataction. The
dis account for this
of prizes and preponr of competitors for
other hand there are
Democratic members who
his selections, for a considprominent positions as unair to congressmen of ex-

Landing - The Poll-Tax Voted Down -The Question of the Mayor's Salary.

Charges Against Mayor Loague by His Former Secretary and Confidential Friend, Andrew Davis, who

possible for the public to doubt the hon- Mayer Loague's Message on the Mandamus Suits-Important and Interesting Letter from Colo-

> Curious Effort to Undervalue the Decision Which will Save to the City \$400,000-The Plea of

Exchange no Bar.

BOARD OF ALBERMEN. Seven members answered at rell call yesterday evening at seven o'clock, for an adjourned meeting.

The city engineer once more reported that no bids had been received for building a new bridge on Adams street, after advertising for ten days. Report received.

The engineer was instructed to draw up plans and specifications for the breakwater above the landing, as well as for the proposed grading and paving of the levee, which plans are to be inspected and accepted by parties putting in bids for the contract.

The wharf and landing committee recommended the putting down of a plank road leading to the flatboat landing, at a cost not to exceed eight hundred dollars. Resolution adopted. yesterday evening at seven o'clock, for an ad-

to exceed eight hundred dollars. Resolution adopted.

Bequisitions from the chief of police and fire chief passed final reading.

Bills from Brown & Jones for coal furnished the city at eighty cents per barrel, were referred to a special committee.

The bill of Thomas Coone, foreman of the street hands, was referred back to the committee on accounts, for explanation.

A petition from W. P. Proudit, for permission to build a frame addition to his residence, its Madison street, was referred to the police and fire commissioners, with power to act.

The engineer was instructed to repair the Adams street bridge.

The council resolution ordering crossings on Vance street at Cynthia and Goelee streets, was referred to the improvement committee.

The amount of three hundred dollars was ordered placed to the credit to be used by them on Adams street, the credit to be used by them in payment of city taxes.

The city attorney reported that he did not consider it necessary for the city to levy a politax in order to make elections valid under the new charter.

The engineer was instructed to put down ew crossings at the corner of Madison and orleans strests within the next ten days. The aidermes were invited to the council chamber to hear the reading of the mayor's messages on the bond cases. After receiving the messages the joint session adjourned, and the aldermen returned to their hall and at-jurned to next Thursday evening at half-past seven o'clock.

COMMON COUNCIL. The common council met in the City tall at seven o'clock last night, President cent in the chair, and Councilmen Kelly, Ei-er, Vance, Clouston (colored), Doberty, So-ari, Moon (colored), and Ryan being absent at The account of Estes & Ellett, attorneys, NEW BUSINESS.

The council concurred with the board of to make the mayor's salary twenty-five hun-dred dollars, payable monthly. Councilman Tutker moved to refer to a spe-Councilman Green moved to make the sai-ty two thousand dollars. A requisition of the chief of police for coal and stationhouse supplies was allowed. A pelition from persons residing in the vicinity of the extension of Hernando street, north of Beals, was referred.

Accompanying the above charges is a com-munication from Andrew Davis, who among other things says that he, being made secreta-ry after the discharge of Robert E. Loague, the mayor asked him to examine the books in the office and ascertain how much had be n stolen. This he did, and informed the mayor,

GBNERAL COUNCIL.

The Proposed Breakwater Above the

Turns "Informer."

nel M'Rac.

tax in order to make elections valid under the new charter.

A resolution levying a poll-tox of five cents was discussed, and the opinion of the mayor saked as to the necessity of the levy. The charter was read and the mayor said that whatever the general council saw fit to do in the matter would be satisfactory to him. He said that in case he wase candidate, and failed to be elected he would not set up the failure to levy a poll-tax as a sar to the legality of the election. The resolution levying a tax was lost.

A council resolution, fixing the salary of the mayor at four thousand soliars per year, for the next term, was concurred in.

The report of the light and lamp committee reported on divers petitions, and also favored the sum of \$150 to Tim M Mahon as a final settlement with the city. The reports of the committee were adopted, but that recommending the payment to M Mahon was re-

THAT FIVE-CENT POLL-TAX. GENTLEMEN—In response to your resolution calling for my opinion whether it is necessary "to levy a poll-tax to make our election valid," I answer that I think there is no necessity for such levy in order to the validity of the election. Section seventy-five of the new charter prescribes as one of the qualifications of yoters, that the person offering to yote "shall have paid his poll-tax to the city for at least one year next preceding the election." I think that "bls poll-tax" means such poll-tax as the city may have levied upon him. If none has been revised, the qualification falls to the ground. I find no law putting upon the city the obligation or duty to levy a poll tax. If such had been the intention, it is fair to presume that a minimum of poll-tax to be levied would have been fixed by the legislature. To construe this clause as meaning anything else than that the voter should have paid whatever poll-tax the city may have assessed, would enable a general council at will to defeat a city election by neglecting or refusing to lavy a poll-tax.

neglecting or refusing to lavy a politax. Such I think was not the intention of the legislature, and if it was, its validity would be, to say the least, exceedingly doubtful. I think there is no necessity for sevying the law. Respectfully B. P. WALKER, City Attorney. The report of City-Attorney Walker was received and adopted.
THE MAYOR'S SALARY.

Councilman Green offered a resolution that the council fax the mayor's salary at four thousand dollars per annum.

Councilman Vance moved as an amendment that the mayor's salary be two thousand for the thousand for the follars. [This is five hundred dollars better than this councilman's last wish upon the subject.]

Councilman Grant moved that the salary be three thousand six hundred dollars per agnum. im.

Councilman Fisher moved to refer the resotion of Mr. Green to a special committee of
tree. Adopted, and the chairman appointed
bunclimen Green, Vance and Fisher.
The resolution of the board of aldermen aptree to the board of aldermen aptree to the board of aldermen aptree to the board of the special of the CHARGES AGAINST MAYOR LOAGUE

President Zent stated that he held in his hands a paper containing charges against Mayor Losgue. He wished to say that he Zent) had nothing to do with these charges, which were preferred by Andrew Davis, but that he presented the papers to the council merely as an officer acting in official capacity. Dr. Hawitt moved that the charges be read, ind this was done.

bonds. Second, that he made no effort to recover this serip, although informed where it
was. Third, that he is guilty of forgery, or has
used his position to screen the guilty and protect the thief. Fourth, that he (Davis) a year
ago informed Mayor Loague where the scrip
was deposited and asked him to have the thief
arrested, but he refused. Fifth, he (Davis)
had given him a list of the stolen bonds, but
he (Mayor Loague) made no effort to have the
stolen bonds returned. Math, he (Mayor
Loague) caused the entries on the financial
books to be changed. Seventh, that he used
his official position for promotion of his individual interests instead of for the good of the
city.

(Davis) was quite feeble and might not be living when the case was tried, yet he would give the council all the necessary information. Every book in the the necessary information. Every book in the city hall would have to be destroyed in order to blot out John Longue's guilt, and even then he believed he could give them witnesses who would prove the charges.

Dr. He wett said a committee had been already appointed to investigate this matter and he moved to refer to that committee, composed of Messara. Carpenter, Moores, Hewett and himself. Councilman Moores asked the appointment of another committee to act with this comadopted and the chairman appointed Counctimen ityan and Vance.
Adjourned to half past seven o'clock Thursday night.

MEMPHIS

JOINT SESSION.

Agreeable to a request from Mayor Loague, the two boards convened in joint session, when the following messages and report were MAYOR'S OFFICE, CITY HALL, MEMPHIS, TENN., December 22, 1875.

Honorable Board of General Council:

GENTLEMEN-I take pleasure in informing you that in the cases known as the State ex. rel. Beanch & Co., et al., us the Sinking Fund commissioners, which were suits by mandamus to enforce the payment of certain bonds and coupons of the city, held by the relators respectively, out of the sinking fund of the city, in the process of creating, add in its charter to discharge the bonded debt, that the city has been successful. These suits were attended to, under your direction and employment, by Wm. M. Randolph, Esq., who was, f am informed by nim, ably assisted by City Atterney Walker. The decision is very full said elaborate, covering twenty-nine pages of legal cap, but, I suppose, will not now be published, unless you direct it to be; hence, I give you the closing paragraph: "Under the principle of this opinien we hold that the sloking fund of the city of Memphis, as created under the charter in question, is an involable trust fund for the indemnity of all the bond creditors of the city. That it was intended to be administered in the sound discretion of the city government in such a manuface that the stant can be a controlled that the sound discretion of the city government in such a manuface that each set the Honorable Board of General Council:

was intended to be administered in the sound discretion of the city government in such a manner as to produce that result, and that the courts have no power to control that discretion, unless it be in a clear case of an abuse and perversion of the authority vested under the charter. Let the judgments be reversed and the several petitions for mandamus be dismissed." Very respectfully,

JOHN LOAGUE, Mayor.

MAYOR'S OFFICE, CITY HALL, MEMPHIS, TENN., December 20, 1875. To the Honorable Board of General Council: To the Honorable Board of General Council:

GENTLEMEN—That you may be fully advised as to the condition of the litigation growing out of the city's bonded debt, and that all parties interested, or that may hereafter become interested, may know the position of the city, I respectfully lay before you the following important and valuable letter from Colonel D. K. M'Ras, he whom you recently employed to assist Judge Walker, city attorney, in the preparation of the defense and argument of the cases then pending before the supreme court. Respectfully,

JOHN LOAGUE, Mayor. MEMPHIS, December 14, 1875.

Hon. John Loague, Mayor: DEAR SIR—I think it proper to report to you my action as assistant to the city attorney in the cases lately pending in the supreme court involving the question of the city's liability upon certain classes of bonds heretofore issued by the city authorities. I united with the city attorney in presenting the following defensar: city attorney in presenting the following defenses:

First—As to the one hundred and thirty-five thousand dollars in bonds issued under the Leftwich administration. It was contended that these were absolutely void because they were issued without any authority. The chaim to issue them was the authority of the act of 1866, allowing an issue of funding bonds to the amount of two hundred and fifty thousand dollars, and the subsequent act of 1867 allowing the issue of bonds for funding, under which there was an ordinance passed authorizing the issue of one million of bonds. The chief defense against this over issue was—First—That the act of 1867 repealed the act of 1860 in this particular.

Second That the ordinance under this act of 1867 repealed the former ordinance, and limited the power to issue funding bonds to the amount of three million dollars.

And thus there remained no power to issue ourset the act of these parts of the amount of the overtisens is held to be absequent or the same thought to be appealed to the act of the amount of the overtisens is held to be absequent and the action of the amount of the overtisens is held to be absequent.

the amount of three million dollars.

And thus there remained no power to issue more; hence the over-issue is held to be absolutely void, binding the holder, however remote and however romonide. It is well settled that a municipal corporation cannot bind the inhabitants by the issue of negotiable securities, except under the express authority of the legislative ranction. This view was entertained by the court; the coupon in suit was pronounced void, and the peremptory mandanus as to it refused. Notwithstanding there seems to be a curious effort, reaching even to an editor of a leading paper in the city, to under value this decision. I consider it of great importance, because it is the first construction by the court of last resort in the State of the statutes under which the authority to issue these bonds is supposed to rest; and, being so, it will doubtless be received by the Federal and other courts as condusive of the meaning and effect of those statutes, i understand the rule in the Federal courts to be: That while these courts will examine for themselves whether the adjudications of the

necessarily adopt the state decisions on questions of general commercial law, they adopt as of course the construction by the supreme court of the State, of the statutes, first given, and from which right have been or may be derived. I doubt not the effect will be wholly to relieve the city of these bonds and the interest coupons thereon, amounting. I am informed, to near four hundred thousand dolars. Even if these bonds were issued to supply the place of former bonds, legally issued, but surrendered and cancelled, as some suppose—which I see no evidence of, but the contrary—this would give them no more validity in law or equity 1—the hands of any holder, than bonds issued to fund the floating or any other debt of the city, justly owed. Defense was also made against the validity of the four hundred thousand dolars issued of paving bonds—under the act of 1866. This defence is placed—

Pinst.—On the ground that there was no leg-First.—On the ground that there was no legislative authority to issue them.

And this called for the construction of the third section, second sub-section, of that act, known as the public improvement section. It was contended that the public improvement spoken of in that section did not mean street paving, inasmuch as there was a provision in the act of 1860, specially, for paving certain streets; and the amount authorized was limited to five hundred thomand dollars; and in the same act of 18.6, in section other than that referred to, there are provisions for paving all the streets by apportioning and paving all the streets by apportioning and charging the cost thereof on the adjoining lots in proportion to their respective fronts, and making it mandatory on the council to pursue this method. Unfortunately, none of

the law, as to the sections last referred to, was pronounced unconstitutional, it may well be looked to, to discover the meaning of the legislature in the use of the words, "Public improvement" in the third section, as above. If this be so, and it sppears that the legislature intended to pave all the streets by apportioning the charge on the troniage, then they did not mean by "public improvement" the paving of the street. And if these four hundred thousand dollars of bonds could not issue under that authority, then there was no power to issue them, and they would be void; and the inference seems irresistible. I was of the opinion, and am still so, that the five hundred thousand dollars of paving bonds issued under the third section of the act of 1850 are also void for these reasons.

hese reasons.

First—It is admitted that there must be a First—It is admitted that there must be a power to issue by legislative act, and a confirming ordinance.

Second—To this power the holder, however remote must look for his title. It is only as sgainst an irregular exercise of a power that he is protected. Here the power is granted to issue five hundred thousand dollars of paving bonds. But, as a provision of the power, and before it can be exercised, the council is required to provide by ordinance,

1st. For the payment of the annual interest, 2d. A sinking fund to meet and secure the principal. Now if the council had passed such ordi-nice, making these provisions, but the proper ficers had never put it in force, and the onds had so issued, then there would have sen a power and an irregular exercise of it, not the innocent holder would be pro-ceted. But when the ordinance for atting in force the act of the legislature giv-ag the power, instead of conforming to, con-

evenes it, it is not only an absence of power it a usurpation of it contrary to law, and he clation of the statute which conteins it o e authority, and a fatture to pass the ord ance required would be such contravention power, and as in making this investigated to must necessarily see that the ordines is violative of the enabling act, he is entitled to protection any more than the

not entitled to protection any more than the orignal parties.

Again: The same act expressly prohibited the issue of these bonds at a greater interest than ten per cent. Now, if the ordinance had authorized their issue at ten per cent., following the act, but the mayor had, by discounting, issued them at fifteen per cent., it would have been the irregular exercise of the power, not affecting the innocent holder. But if the bonds, in violation of the act and ordinance, had been issued at fifteen per cent. interest on their face; or if, notwithstanding the act, the ordinance had authorized their discount at fifteen per cent., either of these acts would be a positive and notable violation of the power, because a violation of the prohibition of the act, in the former case on the face of the bond, in the latter on the face of the ordinance which is part of the holder's title, and of which he is obtiged to take notice. This latact, in the letter on the face of the bond, in the latter on the face of the ordinance, which he is obtiged to take notice. This latter was the case. The very ordinance which he is obtiged to take notice. This latter was the case. The very ordinance which put in force the enabling act authorized the mayor to issue bonds at eighty-five cents on the dollar, in direct contradiction of the prohibition of the act, that they should not be issued at a greater rate of interest than ten per cent. I think these bonds are absolutely void, or else the doctrine that municipal corpora-

sea ing number of competitors for hem. Of the other hand there are anny among the Democratic members who everely criticise his elections, for a considerable of the compression of the compression of the compression of expended service who have been passed over in he distribution of chairmanships and important committee places, to make room for when he had found about seleve hundred and fifty-four chairmanships reclusive of minited chairman. Twento-four are given by western members, our map of the same description; four or five the worthern chairmanships given to western members, our map of the same description; four or five the worthern chairmanships given to western members, our map of the same description; four or five the worthern chairmanships given to western members, our map of the same description; four or five the worthern chairmanships given to western members, our map of the same description; four or five the worthern chairmanships given to western members, our map of the same description; four or five the worthern chairmanships given to western members, our map of the same description; four or five the worthern chairmanships given to western members, our map of the same description; four or five the worthern chairmanships given to western members, our map of the same description; four or five the worthern chairmanships given to western members, our map of the same description; four or five the worthern chairmanships given to western members, our map of the same description; four or five the worthern chairmanships given to western members, our map of the same description; four or five the worthern chairmanships given to western members, our map of the same and makes the discovery. He saw one of the stolen bonds in the hands of Major T. B. Edington, who be discovery that the way to the worthern chairmanships are also one map of the same and the same

ing bond which is not propped by this security. It was the duty of the court to make such provision in the ordinance putting in force the enabling act, and without it they never

ity. It was the duty of the court to make such provision in the ordinance putting in force the enabling act, and without it they never acquired the power to issue funding bonds. Second—A power to itsue funding of the decision of the supreme court in the case of farrington et the Mayor. Now, when the council, by resolution, authorized the issue to the parties named at sixty-five cents on the dollar, it violated the provisions of the enabling act, express and implied; and it did so notably, so as to affect all holders, since it appears on the face of the municipal proceedings, which are the title-papers of any holder. The defense was made against all the bonds that they were illegally issued and usurious, and that the holder, though bona ide, could only be profected to the extent of the sum actually paid by him. Both the city atto ney and I had great confidence in this occione. It was faily supported with reference to other negotiable securities under like circumstance—by several adjudications in Tennessee in the paimy days of her judiciary. And these Tennessee decisions had been approved and followed in many States, as New York, Massachusetts, New Jersey, Indiana, Ohlo, and lately in Virginia, in a case reasoned with remarkable ability is the Federal supreme court, and in the courts of England. But the supreme court of our State preferred to rest its concinsion on this point upon a dictum of the supreme court of low, and lately in Virginia, in a case reasoned with remarkable ability is the Federal supreme court, and in the courts of England. But the supreme court of our United States circuit court, whereby certain chattel qualities beyond those of commercial negotiable securities are given to those municipal bonds, which have been practiced upon communities, and which have been practiced upon communities, and which have been practiced upon communities, and wh

this is a matter of regret it is not of surprise.
This question is not, however, finally disposed of, and the city has yet the opportunity of testing this matter again; for here is not the construction of a statute, but a decision on commercial law—as also for other reasons. I have drawn this communication to a much greater length than I intended, but I could not fairly include my meaning in smaller compase. In conclusion, I think much encouragement is to be taken from the success achieved. Valuable in the sit is in my opinion the harbinger of

encouragement is to be taken from the success achieved. Valuable in itself, it is in my opinion the harbinger of more suspicious results. I think the city has now the opportunity to present in such form as greatly to lessen and shorten litigation, all the questions; and to arrive at both a legal and equitable solution of all the questions in dispute, so as to enable her to receive and do justice and equity. The advantage she has gained, in my opinion, she cannot lose, for the reason I have stated; and there are other advantages yet before by. The relief already obtained, as well as that which may be fairly hoped for, is without doubt the result of your judicious action in calling attention to the evil and the prebable remedies, and of your earnest effort in pressing the investigation; and I doubt

prebable remedies, and of your earnest effort in pressing the investigation; and I doubt not that the hard worked and greatly oppressed tax-payer will hold in grateful appreciation the vigor with which both you and the council, who have seconded your recommendation, have worked to promote their interests. While other mayers of cities and public officers, in one way and another have, some for larger, others for smaller prices, fallen before the money power, you, at the hazard of much discontent and no little obloquy have confronted it, and with the aid of the council have succeeded in obtaining for the city a valuable relief from unjust exactions. Very respectfully,

D. K. M'RAE.

ARKANNAN.

Destructive Fires at Forrest City, at Little Rock, and at Camden.

The Little Rock Gazette Office and the Camden Courthouse Burned

Special to the Appeal. Becial to the Appeal.)

Relena, Ark., December 20.—Yesterday morning at five minutes to eight an alarm of fire was given at Forrest City, Arkansas, caused by the discovery of flames issuing from the roof of the building occupied by J. P. Webb as a saloon. It a few moments three other houses in the same block and all that were self in the quare by the fire of December 16, 1874, were in flames, and all them minutes after eight they were entirely consumed. The losses are as follows; Mrs. Fingelbrecht's saloon, loss on building about \$200; sumed. The losses are as follows; Mrs. Engelbrecht's saloon; loss on building about \$2000; on stock, \$1000; 1 sured for \$2500. J. P. Webb's saloon, loss about \$500; no insurance C. Schmuck's bakery, loss about \$3000; no insurance. Baum & Brother's general merchandise; loss, \$2000. The building was occupied by Baum & Brother, and was owned by T. E. Haskins, and worth about

Fire at Little Hock. LITTLE ROCK, December 20 .- The

LITTLE ROCK, December 20.—The Gazette block was barned this morning about six o'clock. It was a three-story brick, fifty feet front by one hundred deep. The fire caught in the rear part of Fred Haas's cigar and liquor store, adjoining the Gaze te office. Mr. Haas, on entering his store before day-light, struck a match with the intention of lighting the gas. The match broke in two, and the lighted part fell on the floor, igniling a lot of spirits which had run out of a barrel on the floor during the night, and from that the flames spread until the whole building was on fire. Haas's loss is estimated at \$11 000; insurance, \$4500 on stock and \$1200 on fixtures, in the Liverpool, London and Globe company. The loss of the proprietor of the Gazette, W. E. Woodruff, is placed at \$12,000, and the insurance at \$18,000, as follows: Queens insurance company, \$2500; Franklin insurance company, \$2500; Franklin insurance company, \$2500; Franklin insurance company, \$2500; Franklin insurance company, \$2500; Mollow with J. T. Trezevant, jr.; \$2000 in Underwriters and North British company; one half of insurance on the building was in the Phemix company. Every type and case, and the bindery and stock was desiroyed; most of the British religious this room farmiture and clothing, valued at \$2500; no insurance. Major J. D. and Captain Samuel B. Adams, who had rooms in the same building, lot \$600 in furniture; no insurance. Trezevant & Soyle, insurance agents, lose \$200; in furniture; no insurance. Trezevant & Soyle, insurance agents, lose \$200; in furniture; no insurance. Trezevant & Soyle, insurance. The Ashiey block adjoining the Gazette building, was badly scorched but not seriously injured. The Western Union telegraph office is in this building and moved out, though no great damage resulted. The Gazette will re-appear to-morrow moraling from the office of the iste Republicant During the fire a heavy rain fell and at intervals throughout the day.

Fire at Camden.

CAMDEN, ARK., December 20 -To isy the courthouse, one of the fivest in the State, at Camden, was consumed by fire. The books, records, and all papers pertaining the clerk's office were destroyed.

ADDITIONAL RIVER REPORTS

Associated Press Dispatches, ST. Louis, December 20.-Arrived: Belle St. Louis, Vicksburg. No departures. River rose 5 inches, occasioned, it is thought, by the gorge below here. Heavy ice is still ranning past the city, and although the underwriters have lifted the embargo, nobody is disposed to start out owing to the lew water Weather cloudy, damp, hazy and

ONLY \$2.50 PER YEAR

THE MAMMOTH

CONTAINS FORTY COLUMNS OF

AS WELL AS THE

OF THE

LATEST NEWS OF THE DAY AND IS FILLED WITH

scing Political, Comme reial, Literary begentific Agricultural, Philosophical, Re-ligious ordinary news, and all other matters of interest to the Farmer, Manufacturer, Me

MARRIED.

SHELTON-READ-On the 19th inst. at Ripley, in the Episcopal Church, by Rev. C. F. Collins, Mr. S. B. SHELTON, of Memphis, and Mrs. L. E. READ, of Ripley, Tennessee

GRANBERRY-WILLIAMS-In this city, December 19, 1875, by Rev. W. D. Mayfield, Mr. THOMAS H. GRANBERRY, ale of Water Valley, Miss., and Mrs. NANNIE WILLIAMS, of Helena, Arkansas.

ROLL SCHOOL

TOWNSEND-On Monday, December 20th, of congestion, FRANK ELEGOOD, only child of F. M. Townsend, aged five mouths and fourteen days. [Montreal papers please copy. Friends are invited to attend the funeral, at No. 85 Adams street, this (TUESDAY) afternoon, at two o'clock.

Attention, Knights Templar. THE officers and ms mbers of St. Elmo
Commandery, No. 15, are requested
to attend the stated conclave of the
Commandery this (TUESDAY) evening December 21st, at 7 o'clock, for the transaction of
business and conferring the Order of the Temple. Members are re quested to appear in full
dress. Fraires are courteously invited.
By order.
B. F. HALLER, E. C.
B. W. SHELTON, Recorder.

I.O.O.F. THE officers and members of Memphia Lodge No. 6, I.O. O. F., are requested to attend the Lodge meeting this (TUESDAY) night, at 7 o'clock, on business of importance. By order G. W. MATHEWS, N. G. deezl 7th Ward Democratic-Conservative Club A MEETING will be held THIS TUESDAY
NIGHT, at 7½ o clock, at SOLARI'S, for
the purpose of making nominations for one
Alderman, two Councilmen and one School
Visitor for the Seventh Ward.
W. N. BBOWN, President.
M. B. TREZEVANT, Secretary. dec21

. NOTICE. N accordance with the Charter and By-Laws of the Washington Fire and Marine insurance Company of Memphis, the stock-holders are hereby notified that the next an-

Election of Seven Directors for the ensuing year will take place at the Company's office, on MONDAY, January 3d proxime, between the hours of 10 a.m. and 4 p.m. By order of the Board.

J. W. JEFFERSON, President,
Attest: G. W. L. CROOK, Secretary. MEMPHIS CITY SCHOOLS

OFFICE BOARD OF EDUCATION, MEMPHIS, TENN., December 20, 1875. }

25 In accordance with the requirements of
the Charter of the City Schools, notice is
hereby given that an election will be held for
one Member of the Board of Education in
each ward of the city, to serve two years, the
election to be held

ELECT THIRDSDAY IN LANUARY. FIRST THURSDAY IN JANUARY. at the same time and place the election i held for municipal officers, dell R. W. MITCHELL, M.D., President,

W. Z. MITCHELL'S SCHOOL No. 308 Third Street. STUDENTS prepared for the usual college course. All the common English branches aught. For terms, apply at the schoolroom,

NOTICE--DISSOLUTION.

THE copartnership heretofore existing between H. B. Facker, of Mempais, and Riddle Coleman & Co., of Pittsbarg, Pa., in the Coal business, in this city, under the firm name of H. B. Packer & Co., is this day dissolved by mutual consent, Mr. Packer retiring, having disposed of his interest to said Riddle Coleman & Co., who will continue the business, under the management of H. B. Packer, as their agent.

RIDDLE COLEMAN & CO. H. B. PACKER.

Memphis, December 19, 1875. Memphis, December 19, 1875.

Our stock of COAL is Good, and Quality No. 1. Also, No. I ASHWOOD. Send in your orders decil H. B. PACKER, Manager. FOR CHRISTMAS

-AND-NEW YEAR'S PRESENTS Call at L. Go. FEL & CO'S, where can be found the remwned KNABE PIANOS, SMUTH'S ORG NS, GUITARS, VIOLINS, FLUTES, ACOGRDEONS, SHEET MUSIC and Musical Merchandise of every description, at prices to sait the times.

L. GOEPPL & CO., dec2t

SOTICE IN BANKBUPICY. In the District Court of the United States, for the District of West Tennessee—in the mat-ter of Norris J. Wiggin.—In Bankruptcy. The undersigned hereby gives notice of his appointment as assignee of Norris J. Wiggin, of Memphis, Shelby county, Tennes-see.

Memphis, December 29, 1876. dec21 to

TITE

25 Cents Per Week To City Subscribers, Belivered by Care



THERE are some Cotton Merchants who in heir young days must have ridden the mule ay this NEW THING-

THE COTTON CLEANER MEMPHIS COTTON GINS. Injures the Cotton. Now, I will pay

\$100 vise them to try the Cleaner.

BOYD, Sup'to Corner Linden and Clinton sts. G.O. R. PHELAN. T. M. S. RHETT.

PHELAN & RHETT. ATTORNEYS-AT-LAW, Office---285 Main Street

Well-Digested Summary Attorney.at-Law. 280 Main Street, East side.

GROS. DEKON

NEWS OF THE WEEK SPECIAL ASSIGNEE'S SALE NOW IS YOUR TIME

ser Having been appointed by Hon. C. F. Trigg. Special Assignee of N. J. WIGGINAI will self, for CASH, at ruinous prices, the entire stock of FINE HATS. CAPS, FURS, UMBRELLAS, TRAVELING BAGS
CANES, etc. The stock is a large and well telected one, and purchasers will do well to call at \$18. Literary Selections call at \$18 Main street, three doors before E. J. K. Honroe.

OCLOCK! TIME TO GO! V. B. THAYER,

SOLID GOLD GOODS,

have them manufactured to suit your taste, Call and be convinced, before purchasing elsewhere, that low rents and home manufacture are essential to good bargains. Farticular attention given to repairing of fine Watcoes, Clocks and Jewelry, and satisfaction guaranteed. School Medals, Badges, Senis, Jewels, Stencils, Etc., a specialty. Jewelers and others should CONSULT THAYER before sending their difficult jobs to Eastern cities. Any piece of jewelry matched or duplicated on short notice.

Trustee's Sale OF ELEGANT

-AND-AT AUCTION. BY A. E. FRANKLAND, 269% MAIN ST. Tuesday Morning, Dec. 21st,

SANTA CLAUS' RECEPTION AT

LEUBRIE'S LEUBRIE'S LEUBRIE'S LEUBRIE'S LEUBRIE'S Respectfully yours, KRIS KRINGLE

DOLLS, TOYS, FARCY GOODS, BOOKS, GAMES, SWISS GOODS Toy Department.

sold at the same Low Prices we have been selling other goods, All Holiday Goods at WHOLESALE PRICES.

220 Main Street, MEMPHIS.

GIFTS!

The undersigned has just eceived on consignment an elegant stock of Gold Watches, Diamonds and fine Jewelry from one of the largest houses of first-class goods in the country. These goods I am instructed to ell during the Holiday: Prices will therefore be made exceedingly low. I shall be glad to see my old customers and any others desiring fine goods for Presents or other-

Jet Palace, 326 Wain St. OLIVER, FINNIE & CO.,

GROCERS

500 bbls. Flour, barrels and belves. 150 bbls, new York Buckwheat. 600 boxes, hf. and qr., Raisins. 400 boxes Figs. 100 cases Saidines.

200 boxes Prunes and Currants-new. 500 packages new Mackerel. 50 boxes Codfish. 200 boxes Sunff. 1000 buckets Lard 56 hf. bbls. Lard.

HOLIDAY PRESENTS

AT LESS THAN COST!

WE ARE CLOSING OUT OUR ENTIRE STOCK OF

PARLOR

BEDROOM FURNITURE

Comprising Ten Bedroom Sets, Five Parlor Sets, Mirrors, Tables, Sideboards, Brussels and Ingrain Carpets, Curtains, Glass, Silver and Chinaware, etc. By order of Trustee. A. E. FRANKLAND, Anet'r.

Immense display of

LEUBRIE'S

wise. R. ROESCHEE,

1000 bags Coffee, Rto. Laguayra and

200 biffs. Buts, Almonds, Pecaus, Bra-100 ht. bbls, Atmore's Mancement. 25 bbis. Atmore's Bincement 500 buckets Atmore's Elincemen -5, 10, 18, 30 and 37 lbs. 50 cases Atmore's Plum-Pudding.

500 bbis. Potatoes, Onlous and Apple OLIVER, FINNIE & CO

NEW PIANOS at \$300, \$350, \$400 to \$600.

Organs at \$65, \$75, \$100, \$125, \$150 to \$200.

One large Church Organ worth \$500, at 1350.

Buss and Tenor Brums, per set, \$22 to \$35.

Double Basso and Bass Viols, \$12 to \$35.

Violins and Banlos, at \$2, \$4, \$6, \$8, \$10, \$15 to \$20.

IMMENSE INDUCEMENT

Note Our Quotations.

ILKS AT COST . DRESS GOODS!

VELVET CLOAKS BELOW COST-\$35, \$40, \$45, \$50, \$60, \$75, \$86. FURS! FURS! FURS! FURS! Ladies and Children's Fur Sets-\$1 25, \$1 50, \$2, \$1 50, \$3, \$3 75, \$4 50, \$6, \$7 50. CLOSING OUT ENTIRE STOCK BELOW COST.

Flannels! Flannels! Flannels! 20c, 2234c, 25c, 40c,

WHITE WOOL,

82 75, 82 90, 83 50, 84, 84 50, 85, \$1 35, \$1 50, \$1 75, CARPETS. BRUSSEL

Initial Handkerehlefs, Handkerchiefs in Shell Boxes.

Imported Pans.

Shell Tuck Combs.

Lace Shawle

Together with a long catalogue of other articles FOR HOLIDAY

Sosps, Perfumeries, Toilet Articles,

AT LOW PRICES. CALL AND EXAMINE OUR STOCK

MENKEN BROTHERS 261 and 263 Main Street.

C. TREADWELL & BROS. Wholesale Grocers

COTTON FACTORS

No. 14 Union Street. Memphis, Tenn. FOR THE HOLL

PRESE RECEIPTS. 10 Cases Layer, Drum and Basket Fies. 500 Boxes, Halves and Quarter, Baisins. 100 Boxes and Barrels of French and Turkish Prunes. 10 Barrels Pitted and Sweet German Dried Cherries. 4 Cases Leghern and English Citron. 100 Barrels Almonds, Cream Nuts, Texas Pecans. 200 Boxes Fancy and Stick Candies.

350 Cases Jellies and Preserves, every variety. 2500 Cases Canned Fruits and Vegetables 350 Cases Canned Salmon, Mackerel and Lobston

50 Barrels Oranges and Coccanuts. 300 Barrels and Half Barrels Celebrated Purity Flour. 200 Buckets and half Barrels Minced-ment 600 Boxes New York Factory and Pineapple Cheese 40 Barrels Sweet Cider, Etc.



TWENTY SIZES, WITH AND WITHOUT COPPER-LINED RESERVOIRS AND IRON HOT CLOSET. The most Economical, the most formable the Fastert Warnerd and Reci CELEBRATED MONITOR, FOR COAL OR WOOD,

H. WETTER & CO., Dealers in Stoves, Tinware, House-Furnishing Articles, Coal Oll, Lamps, Etc., 13 and 15 Monroe St. : : Memphis, Tenn. W. W. SCHOOLFIELD, HENRY G. MILLER. LOUIS HANAUER. HENRY THOMAS.

SCHOOLFIELD, HANAUER & CO. WHOLESALE GROCERS, COTTON FACTORS AND GENERAL COMMISSION

MERCHANTS. MEMPHIS, TENN (SSEE, 256 FRONT STREET, out this winter. Country merchants and will be closed schools will please give me a call, and for this education will please give me a call, and for this education will be supported by the country merchants and for this education will be supported by the country merchants and for this education will be supported by the country merchants and for the country merchants and merch

